

TEXAS TRANSPORTATION COMMISSION

ANGELINA County

MINUTE ORDER

Page 1 of 1

LUFKIN District

In Lufkin, Angelina County, on SL 266, the State of Texas acquired certain land for highway purposes as reflected in instruments recorded in Volume 84, at Page 336, Volume 84, at Page 308, Volume 84, at Page 332, Volume 86, at Page 43, Volume 84, at Page 320, Volume 84, at Page 331, Volume 130, at Page 605, Volume 130, at Page 613, Volume 130, at Page 334, Volume 85, at Page 227, and Volume 85, at Page 228, of the Deed Records of Angelina County, Texas and that certain 0.072 acre tract of land of which no deed was found but is shown on the ROW (right-of-way) strip map of State Highway No. 35, Angelina County, Texas.

All of the land described in Exhibit A (the tract) is no longer needed for a state highway purpose.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (the commission) may recommend the transfer of highway right of way to a governmental entity that is assuming or has assumed jurisdiction, control, and maintenance of the right of way for public road purposes. If, in the future, the tract is no longer used for public road purposes, the tract shall immediately and automatically revert to the State of Texas.

The City of Lufkin, Texas is assuming or has assumed jurisdiction, control, and maintenance and has requested that the tract be transferred to the City of Lufkin, Texas.

IT IS THEREFORE ORDERED by the commission that the tract, as shown on Exhibit A, is removed from the state highway system.

IT IS FURTHER ORDERED by the commission that the tract is no longer needed for a state highway purpose. The commission recommends, subject to approval by the attorney general, that the governor of Texas execute a proper instrument conveying all of the state's right, title, and interest in the tract to the City of Lufkin, Texas; SAVE AND EXCEPT, however, there is to be excepted and reserved therefrom all of the state's right, title, and interest, if any, in and to all of the oil, gas, sulphur, and other minerals, of every kind and character, in, on, under, and that may be produced from the land.

IT IS FURTHER ORDERED that, if the tract ceases to be used for public road purposes, it shall immediately and automatically revert to the state.

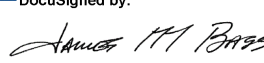
Submitted and reviewed by:

DocuSigned by:

BDEF0413AC9E4EC...

Director, Right of Way Division

Recommended by:

DocuSigned by:

A36629BA547D4BD...

Executive Director

115728 APR 30 2020

Minute	Date
Number	Passed

Exhibit A

March 10, 2020

Page 1 of 5

County: Angelina
Highway: LP 266
Project Limits: AT US 59G – LP 266 INTERSECTION
Control Section: 0176-10

DESCRIPTION OF 1.74 ACRES

Being a 1.74 acre tract of land situated in the City of Lufkin and being located in the J. L. Quinalty Survey, Abstract No. 40, of Angelina County, Texas, said 1.74 acre tract being all of a called 0.112 acre tract of land conveyed by Sam Davis to the State of Texas, by deed recorded in Volume 84, Page 336 of the Deed Records of Angelina County Texas, all of a called 0.259 acre tract of land conveyed by Fred McClendon to the State of Texas by deed recorded in Volume 84, Page 308 of said Deed Records, all of a called 0.135 acre tract of land conveyed by Perry Malone to the State of Texas by deed recorded in Volume 84, Page 332, of said Deed Records, all of a called 0.093 acre tract of land conveyed by Pounds and Heard to the State of Texas by deed recorded in Volume 86, Page 43, of said Deed Records, all of a called 0.072 acre tract of land conveyed by Mrs. John Griffith to the State of Texas by deed recorded in Volume 84, Page 320, of said Deed Records, all of a called 0.027 acre tract of land conveyed by Joe Menefee to the State of Texas by deed recorded in Volume 84, Page 331, of said Deed Records, all of a called 466 sq. ft. tract conveyed by F. H. McClendon to the City of Lufkin by deed recorded in Volume 130, Page 605 of said Deed Records, all of a 77 sq. ft. tract conveyed by Joe McClendon to the City of Lufkin by deed recorded in Volume 130, Page 613, of said Deed Records, a part of the property conveyed by O. L. Fenley to the City of Lufkin by deed recorded in Volume 130, Page 334, of said Deed Records, part of a called 0.448 acre tract conveyed by Oscar L. Fenley to the State of Texas, by deed recorded in Volume 85, Page 227, of said Deed Records, part of a called 0.432 acre tract of land conveyed by E. J. Fenley conveyed to the State of Texas by deed recorded in Volume 85, Page 228, of said Deed Records, also included in this description is a 0.072 acre tract of land of which no deed was found but is shown on the ROW (right-of-way) strip map of State Highway No. 35, all of the parcels combined to be a portion of the existing ROW of LP 266 previously known as State Highway No. 35 and also known as First Street, said 1.74 acre tract being further described as follows:

BEGINNING at a point in the existing east right-of-way line of said LP 266, said point being the northeast corner of the above referenced 0.112 acre tract, having grid coordinates of $X = 4,046,148.61$ and $Y = 10,490,317.49$, said point is located 40.00 ft. left of Engineers Station 0+00, a found 3/4" pipe bears North 48° West a distance of 1.9 ft., said pipe also being a witness corner of a 2.736 acre tract conveyed by Bhole, LLC to Smit, Inc. by Instrument No. 2016-00338380 of the Official Public Records of Angelina County, Texas;

Exhibit A

March 10, 2020

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THENCE South $11^{\circ} 49' 05''$ East along the existing east right-of-way line of said LP 266 for a distance of 3.52 ft. to a point for the beginning of a curve to the right, a broken Type 1 concrete monument bears South $66^{\circ} 30'$ West a distance of 0.9 ft.;

THENCE Southeasterly continuing along the existing east right-of-way line of said LP 266 and along said curve to the right for a distance of 326.73 ft. to an angle point for corner, said curve has a central angle of $10^{\circ} 23' 00''$, a radius of 1802.95 ft., and a chord bearing and distance of South $6^{\circ} 37' 35''$ East 326.29 ft.

THENCE South $3^{\circ} 31' 19''$ E continuing with the existing east right-of-way of LP 266 for a distance of 175.06 to an angle point for corner, the same being northwest corner of a 1.027 acre tract conveyed by Sesame Investment to Johnny T. Johnson by deed recorded in Volume 432, Page 49 of said Deed Records

THENCE South $8^{\circ} 50' 02''$ East continuing with the existing east right-of-way line of LP 266 for a distance of 152.50 ft. to a $1/2''$ pipe found for an angle corner of said 1.027 acre tract;

THENCE South $29^{\circ} 22' 43''$ East continuing with the existing east right-of-way line of LP 266 for a distance of 52.69 ft. to a $1/2''$ pipe found for an angle corner of said 1.027 acre tract;

THENCE South $46^{\circ} 35' 14''$ East continuing along the existing east right-of-way line of LP 266 and with a southwest line of said 1.027 acre tract for a distance of 37.43 ft. to a $5/8''$ iron rod set with a Texas Department of Transportation aluminum disk set for the southeast corner of the herein described 1.74 acre tract, having grid coordinates of $X=4,046,274.19$ and $Y=10,489,592.88$, said rod is located 117.28 ft. Left of Station 7+19.18 of the Engineers Baseline as shown on the right-of-way map of State Highway No. 35;

THENCE South $45^{\circ} 01' 26''$ West departing the east right-of-way line of LP 266 and crossing LP 266 along a line proposed for the north right of way line of US 59 (Control Section 0176-02) and for the south line of LP 266 also known as First Street, for a distance of 216.93 ft. to a $5/8''$ iron rod with a Texas Department of Transportation aluminum disk set in the existing west right-of-way line of Loop 266, said rod having grid coordinates of $X = 4,4046,120.74$ and $Y = 10,489,439.56$ and being 40.00 ft. Right of Engineers Baseline Station 8+72.55;

THENCE North $1^{\circ} 26' 05''$ West along the existing west right-of-way line of LP 266 for a distance of 548.55 ft. to a type I concrete monument found for the beginning of a curve to the left;

Exhibit A

March 10, 2020

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THENCE Northwesterly continuing along the existing west right-of-way line of said LP 266 and along said curve to the left for a distance of 312.24 ft. to the point for tangency, said curve has a central angle of $10^{\circ} 23' 00''$, a radius of 1722.95 ft., and a chord bearing and distance of North $6^{\circ} 37' 35''$ West 311.81 ft.

THENCE North $11^{\circ} 49' 05''$ West continuing along the existing west right-of-way line of LP 266 for a distance of 3.52 ft. to a point for the northwest corner of the herein described 1.74 acre tract;

THENCE North $78^{\circ} 10' 55''$ East across LP 266 and First Street for a distance of 80.00 ft. to the Point of Beginning, said described tract containing 1.74 acres of land, more or less.

Notes:

All bearings and coordinates are based on the Texas State Plane Coordinate System, South Central Zone, North American Datum of 1983, 2011 adjustment. All distances and coordinates shown are grid and are based on current redundant RTK GPS observation obtained from the East VRS CMRX solution of the TxDOT RTK network.

A parcel plat of even date was prepared in conjunction with this property description.

I, Scott Morris, hereby certify that the above description was prepared from a survey made under my supervision and on the ground.

March 10, 2020



Scott Morris
R.P.L.S. NO. 5076



EXHIBIT TO MINUTE ORDER

LP 266 CONTROL SECTION 0176-10

J. L. QUINALTY SURVEY ABSTRACT NO. 40

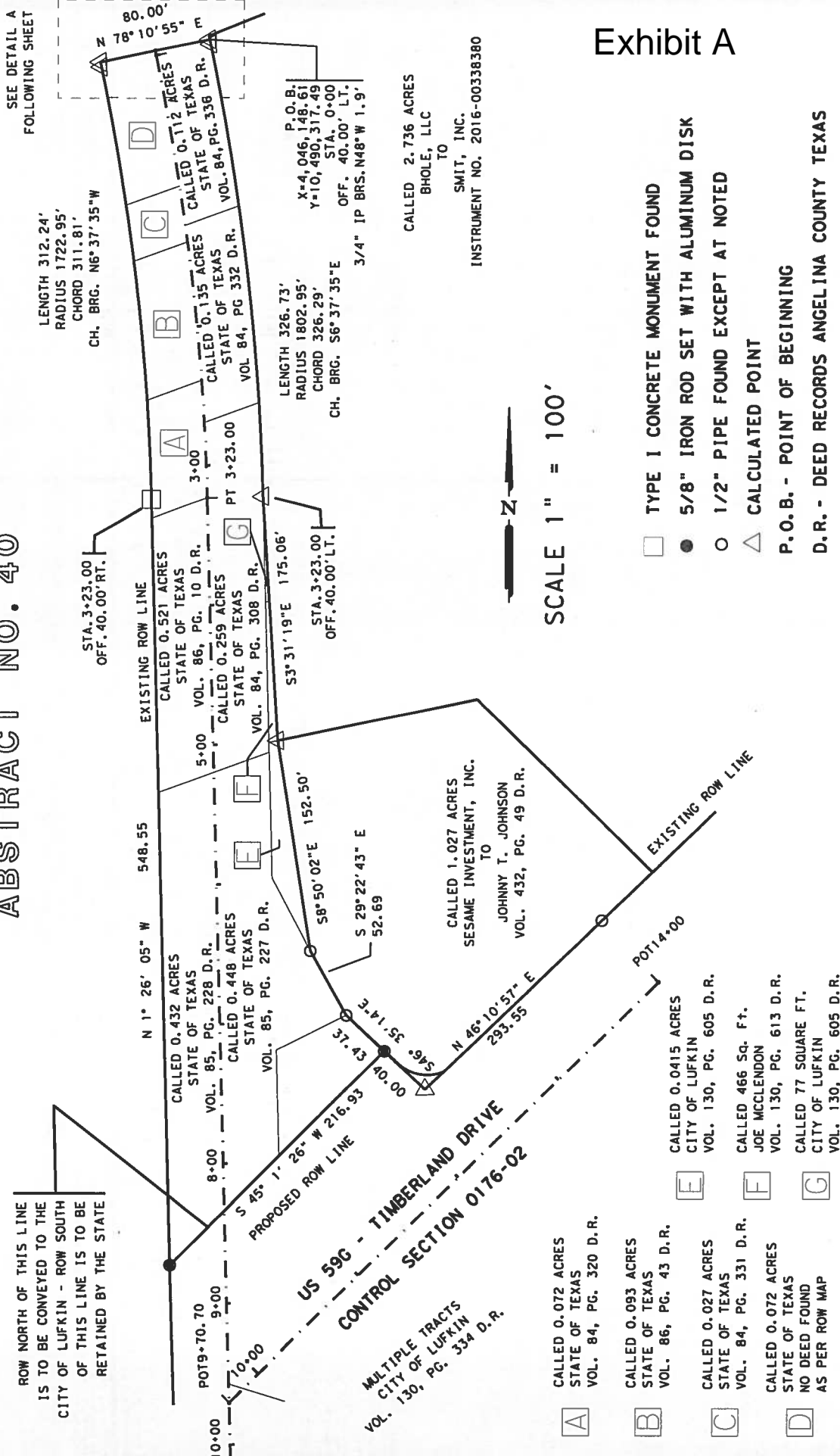


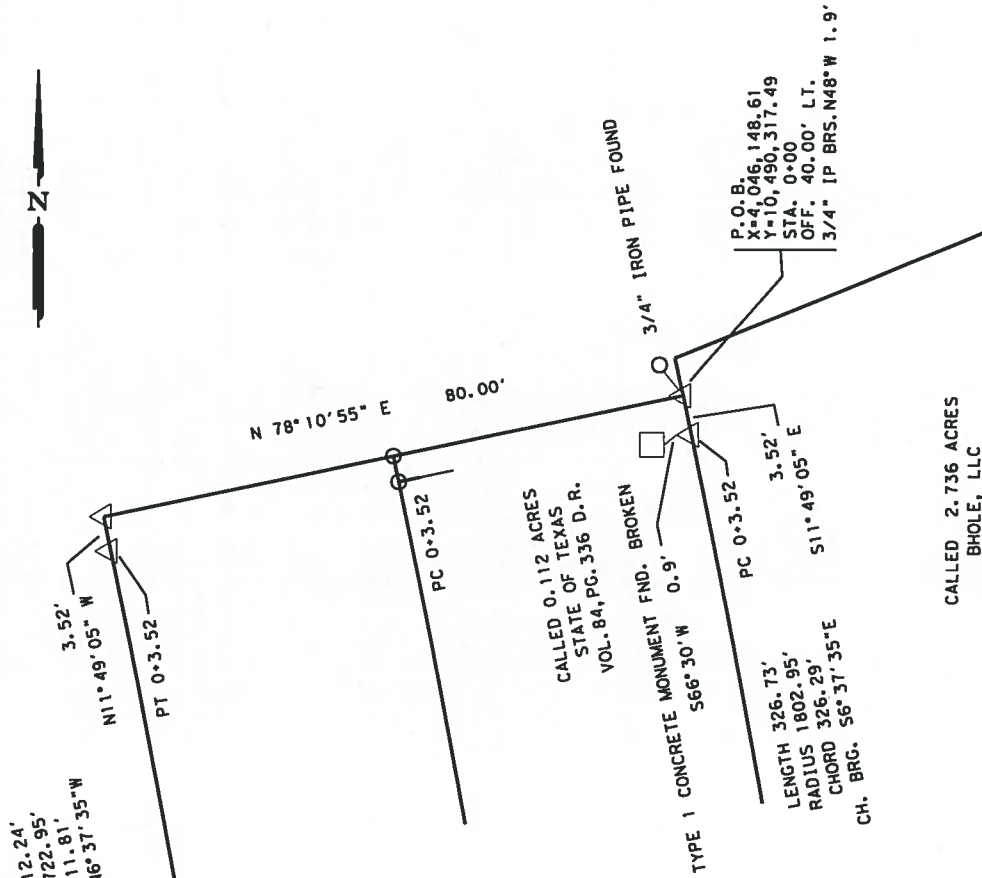
EXHIBIT TO MINUTE ORDER

J. L. QUINALTY SURVEY ABSTRACT NO. 40

DETAIL A
N.T.S. (NOT TO SCALE)

SHEET 5 OF 5

Exhibit A



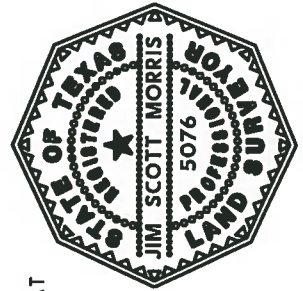
- ☐ TYPE 1 CONCRETE MONUMENT FOUND
- ☒ 5/8" IRON ROD SET WITH ALUMINUM DISK
- ☐ 1/2" PIPE FOUND EXCEPT AT NOTED
- ☐ CALCULATED POINT
- P.O.B. - POINT OF BEGINNING
- D.R. - DEED RECORDS ANGELINA COUNTY TEXAS

I, SCOTT MORRIS, HEREBY CERTIFY
THAT THE HEREON MAP OR PLAT
DEPICTS A SURVEY MADE UNDER MY
SUPERVISION AND ON THE GROUND.

Scott Morris 3-10-2020

SCOTT MORRIS, RPLS 5076

SURVEYED 6-12-2019
REFERENCE IS HEREBY MADE TO A PLAT
OF AN EVEN DATE



CALLLED 2.736 ACRES
BHOLE, LLC
TO
SMIT, INC.
INSTRUMENT NO. 2016-00338380